

February 19, 1973

SPEAKER: Alright, Senator Barnett is asking unanimous consent to bracket the bill for a couple of days. Senator Duis, do you object?

SENATOR DUIS: He doesn't need to do this, I'm perfectly satisfied with Senator Whitney's explanation.

SENATOR BARNETT: Alright there, I'll withdraw that and go back to my first original request.

SPEAKER: Now we have Senator Barnett's unanimous consent motion to adopt the motion, to adopt the amendment which he has explained are there objections to that amendment, Senator Clark, do you have an objection?

SENATOR CLARK: I'd like to ask Senator Barnett a question? Does this also give the ESU the right of eminent domain?

SENATOR BARNETT: Not in this bill.

SENATOR CLARK: It isn't in the bill?

SENATOR BARNETT: No it isn't in here.

SENATOR CLARK: I'm sure it is.

SENATOR BARNETT: No, I don't see it in here anywhere.

SENATOR CLARK: Does anyone know? Maybe Senator Syas can answer that.

SENATOR BARNETT: Senator Syas this doesn't have the right to eminent domain in it does it?

SPEAKER: Senator Syas.

SENATOR SYAS: You mean in the original bill?

SENATOR CLARK: Yes.

SENATOR SYAS: I don't see any eminent domain in there really.

SENATOR CLARK: What?

SENATOR SYAS: In the original bill, I didn't, but of course we've kicked this bill so much around in the last two weeks and now I don't know what's in it. The original bill my intention was not eminent domain, no.

SPEAKER: Well, Senator Kremer do you care to respond? Just a second Senator Whitney. Do you want to ask, Senator Clark is asking a question, can you respond? Fine, Senator Whitney, do you care to respond?

SENATOR WHITNEY: Senator Clark, as I understand this, Senator Barnett's amendment does not change any rights which the Educational Service Units presently have, if they now have the right of eminent domain, they continue to have the right of eminent domain, Senator Barnett's amendment does not change this.

SENATOR CLARK: No, I realize that, but what I'm asking is eminent domain in the original bill? The power of eminent domain in the original bill?

SENATOR WHITNEY: Well if eminent domain is in the original bill, it pertains to something different than what Senator Barnett is attempting to do, so that the original bill, any reference to eminent domain in the original bill would have nothing to do with Senator Barnett's attempting to do.